WASHINGTON, D. C.

The Lecompton Constitution founded neither Law nor the Will of the People. SPEECH OF HON, HENRY L. DAWES, OF MASSACHUSETTS.

Delivered in the House of Representatives, Mar. 8, 1858 The House being in Committee of the Whole on the state of the Union-Mr. DAWES said :

Mr. Chairman, the increase of population has been so rapid in the Territories of the United States, that in three out of the seven now organized, Constitutions have already been framed with a view to their admission into the Union on an equal footing with the other S ates of the Confederacy. The President, in the discharge of the obligation which the Constitution imposes upon him, to recommend for our consideration such measures as he may judge necessary and expedient, has not found at in the line of that duty to urge upon us any special reasons why more than one of these special reasons why more than one of these should be admitted—and that the Territory of Kansas, under and subject to the Lecompton Constitution. He has seen fit to accompany this recommendation with an elaborate argument, which, if it has failed to convince the ment, which, if it has failed to convince the American people of the soundness and justice of the positions assumed, or of the allegations made, has nevertheless left them in no doubt as to what has been the origin and what are to be the consequences of that policy which makes Kansas and the Lecompton Constitution the peculiar objects of a solicitude not shared by a support of the constitution of the co by any other Territory, or any other Constitu-

I desire to notice at this time, as briefly as may be, two points only, to the consideration of which the late special message of the Presi dent challenges our attention. The one is question of law; the other a question of fact:

1. Does the Lecompton Constitution com here clothed with the authority of law?

2. Does it come here as the choice of the people to be affected by it?

I propose, at this time, to argue the first of these questions as one of pure law; and, there fore, for the sake of the argument and for the present, to yield all questions of fact, and to say that, if we admit the entire absence of fraud in the creation of the Territorial Legislature of Kansas, still the Lecompton Constitution law, and has no higher sanction or just claim than merely the expressed wish of those who framed and sent it here. A reference to th message will show that the President has made his whole argument to rest and turn upon what he calls the legality of the Lecompton Conver tion and its work, the Lecompton Constitution He puts aside all other agency than that of the law, and in this matter knows no people out side of this legal channel. He declares that a great portion of the people of Kansas have, for a long time, been in open rebellion against the Government under which they live; that nothing but military force has kept it down, and pre vented its assuming and discharging the functions of government. This rebellion, he says has taken on the form of the Topeka Constitu tion, and has assumed a revolutionary type Over against these, the President sets another party, which he calls the law-abiding and law loving people of Kansas, and who have been according to him, carrying on the unequal con test of maintaining the law against rebellion and revolution, by the aid of Federal bayonets

And, in reference to this condition of things in the Territory, he asks these questions: "Such being the unfortunate condition of af fairs in the Territory, what was the right, a well as the duty, of the law-abiding people?
Were they silently and patiently to submit to the Topeka usurpation, or adopt the receasary measures to establish a Constitution unde

the authority of the organic law of Congress? And he answers approvingly, that the Terri torial Legislature passed a law creating a Con-vention clothed with power to frame a Constithat act, frame the Lecompton Constitu And he concludes in these words: From this review it is manifest that the

' Lecompton Convention, according to every 'principle of constitutional law, was legally constituted, and was invested with power to frame a Constitution." And that the Constitution and State Govern

ment, the work of that Convention, has been framed "in strict accordance with the organic

This proposition is the foundation of the President's whole argument; and all the other considerations urged by him are built upon this If, therefore, this proposition be not true, then the whole foundation of the message fails, and it falls baseless to the ground. The inquiry, therefore, becomes a pertinent one, whence comes this legality? and from what source does this Constitution derive the authority of

of the Territorial Legislature. It derived all its authority and power from that Legislature No one ever claimed for it that it derived an power from the people outside of the forms of Territorial law; for to do that, would be to go to the same source from which the Topeka Convention derived its authority. And if it be "treasonable" for the one to drink at that foun tain, it cannot be "legal" for the other to pa take of the same poisonous draft. If, then, the Lecompton Convention derived all its power and authority from the Territorial Legislature, the question next arises, had the Legislature itself the power to clothe this Convention with authority to form a Constitution and State Government? Now, the Territorial Legislature derives all its power from the organic act. It too, will find itself going for authority to that treasonable source, the people, where the men of Topeka were debauched. In the organic act will be found both the creation and the measure of all legislative power in the Territory. And that act has defined and set limits to the power of the Legislature, which it creates, in expres terms, beyond which it cannot go, in these

words—section twenty-fourth of the act:

"The legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act."

I observed, some time since, that the gent man from Mississippi, [Mr. Lamar.] in an other wise able argument which he addressed to u upon this point, when quoting this section omitted the clause limiting the power of th Legislature by the provisions of the organi act, as well as by the Constitution—an omissio in my opinion, fatal to his whole argumer This is his language in the Globe:

"In section twenty four, it is further en that the legislative power of the Territory sha extend to all rightful subjects of legislation consistent with the Constitution.

But, sir, this section not only limits the pow poses the further limit that all legislation shall also be consistent with the provisions of the act tha created the Legislature. The one is just as clear just as express, as the other. Every legislative act which conflicts with the organic law, is here made void for want of power in the Legislature; just as much, and for the same reason, that it would be void if it conflicted with the Constitu tion. The organic act is here made a part of the Constitution of the Territory, and is suprem over its Legislature. And this must have bee so in the nature of things, in the absence of any provision in the organic law upon the sub-ject. For either the organic act, or the Legis lature, must be supreme; both cannot be. But the organic act created the Legislature, and could not therefore clothe it with greater power than itself had, and could not make it suprem over itself. But enough for us is the expres limit found in so many words, and entirely over looked, not only by the gentleman from Missis sippi, [Mr. LAMAR,] but by the President him

Now, the organic act nowhere provides for its own subversion, or for the substitution of another Government in its place. It is the charter of the Territory, and is to be annulled only by the power which created it, acting upon it directly by repeal or modification, or indirectly by the admission of the Territory into the Union with a State Constitution, which is itself a repeal. It needs no argument to show that the Legislature could not delegate to sconvention powers which it did not uself possess. Nor does it admit of any greater doubt that to form a Constitution and State Government is to act inconsistently with the organic.

**Since the delivery of this speech, Mr. Lakar has in the control of the substitution and in this communication, which has a proceeding in the terms which in substitution of the President and justice demand—for I have to do, at this moment, merely with the legal argument of the President. And I will the legal argument of the President and justice demand—for I have to do, at this moment, merely with the legal argument of the President. And I will the legal argument of the President. And I will the legal argument of the President. And I will the legal argument of the President argument required that something for its support should be put into the organic act not there before. Such a reading, unparalleled as it is in the history of the people. What wer investigation you folicial communications to Congress, would never have been resorted to but from the conviction of its author that there was nothing in the terms which that the tense, when taken, can to be known, has foundation the legal argument of the President. And I will the "sense of the will the use for you the will be known as the sense of the revertheless, tand. So will the "sense of the communication of the recommon sense. The Constitution may, and it will be known as the sense of the revertheless, tand. So will the "sense of the will be known as the sense of the legal argument required that something for its support should be pu

organic act itself, then it would have authority, under the same clause, to provide for the election of a Territorial Governor by the people, or to dispense with the presence of such a functionary altogether, or any of his official duties like the approval of an act of the Legislature. All this would be "their own way" of doing business, and would certainly be no more subversive of the organic act than the formation of an entirely new Government. Does any one claim, that if the Territorial Legislature of Kansas should declare that its acts should be valid without the approval of the Governor or a vote of two-thirds, such acts would be of any binding force? And why not? That would be "their own way." The answer is, that the organic law has taken this power away from the "their own way." The answer is, that the or-ganic law has taken this power away from the Legislature, and clothed the Governor with a veto upon all their acts, to be overridden only by a vote of two-thirds. So, too, has it taken away, or rather, never granted, the power to make a Constitution. If the organic act has created a Legislature supreme over itself, it is a felo de se. It was but at the beginning of this session, and in his annual message, that the President himself claimed that the full in tent and force of this clause was exhausted by an offer to the people of a vote upon the ques-tion of Slavery merely, without, at that time, the slightest pretence that it had the force of an Whatever else, after all, may be "the true

intent and meaning" of this clause of the or-ganic law which has so puzzled the brains of Legislature "perfectly free;" for the power of that body is limited elsewhere, in express terms. And the perfect freedom here created is for the people thereof;" not in or through their Legislature, which by the same law is not perfectly free, but limited and restricted. If, there fore, the Lecompton Convention gets legal ex-stence and lawful authority from this clause, it stence and lawful authority from this clause, it is not through the limited powers of the Legisature which created it, and the forms of their law which they had no power to enact, but through that perfect freedom of "the people thereof," outside of and above any Territorial enactment, which has been vouchsafed to that people by this clause of the organic act. And thus Lecompton, like Topeka, is driven, for its authority to make a Constitution, to the people, outside of Territorial enactment. In this paricular, these two Constitutions take their stan side by side. If the one be "rebellious," "revolutionary," "treasonable," so is the other. Under and by virtue of any authority imparted to either by the organic act, or any of its agencies, they must stand or fall together. They are both some extent—what that extent, as to each, may be, I shall inquire hereafter; but to some extent—of the popular will in the Territory, per-mitted by the organic act, as everywhere else under our free institutions, so long as they do not assume the functions of government in sub-version of established laws.

I have inquired, not whether this Constitution

somes here under the forms of law, but, rather. whether it is here clothed with the majesty and authority of law. I do not question any man's power to use the forms of law; but they are empty words, a dead letter, until the constitued authorities, with creative power, breathe into them the breath of life. The Kansas Legislature as well as a primitive second. into them the breath of life. The Kansas Legislature, as well as an individual, may put upon paper what it pleases; but whatever of its decrees conflict with the organic act, fall still-born; for it is forbidden, by the hand that created it, from impairing one jot or tittle of that charter. Nor do I question that the people of Kansas may form a State Constitution without further legislation by Congress, and be admitted into the Union under it, if that Constitution shall be "the sense of the people to be affected by it;" but not by means of any enactment of the Territorial Legislature having any force as law, for the Legislature is forbidden to speak authoritatively on that subject. The conclusion, itatively on that subject. The conclusion, therefore, is inevitable, that just so far as the Lecompton Convention claimed from legislative enactment authority to form a State Constituion, just so far it is without foundation. The attempt, therefore, in the message, to commend to us the Lecompton Constitution as the crea-ture of law, and as an emanation from the lawture of law, and as an emanation from the lawful authority of the Territory, utterly fails; and
the hideous deformities of that instrument stand
forth in their nakedness, uncloaked and unsupported by legal sanction. The law, thank God,
has as yet refused to lend its instrumentality to
this work—has, as yet, given no aid or comfort
to this undertaking; and it must stand, if at
all, on some other foundation.

But, sir, I have not quite done with this
point. If further argument were necessary to
show the utter failure of the attempt on the part
of the President to bolster up this sickly instru-

of the President to bolster up this sickly instru ment with legal sanction, it is furnished us in the means to which he resorts to maintain his position. An honest argument is based upon an honest foundation. Reason and logic, as well as honesty, hold us to the truth just so long well as honesty, hold us to the truth just so long as the truth will serve our purposes; and when we turn our footsteps aside from her rugged oathway, we make proclamation to the world that we cannot reach our journey's end under her guidance. Now, by what process does the President undertake to convince us and the country that the Kansas-Nebraska act authorthe Legislature of Kansas to create the Lecompton Convention, clothed with power to frame a Constitution and State Government? Here are his words, in quoting from that law to

ustain his position:
"That this law recognised the right of the "That this law recognised the right of the people of the Territory, without any enabling act from Congress, to form a State Constitution, is too clear for argument. For Congress to leave the people of the Territory perfectly free, in framing their Constitution, to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States, and then to say that they shall not be permitted to proceed and frame a Constitution in their own way without an express authority from Congress, appears to be almost a contradiction in terms."

Now, I agree with the President, that there appears in this paragraph, as thus quoted, almost a contradiction in terms." But something else appears in this paragraph, less excusable than a contradiction in terms—and that is an interpolation into the organic act. The words, "in framing their Constitution," which I have quoted from this message, are not to be found in the Kansas-Nebrasta act, and have been here foisted in between the words of that act by the President himself. I will not stop to characterize such a proceeding in the terms which honesty and truth and interms. to characterize such a proceeding in the terms which honesty and truth and justice demand—

law. It is an attempt to transfer the executive and legislative power, the whole machinery of Government, into new hands, and if put in operation would subvert all Territorial rule.

And now, sir, Jass to the \$cond subject of inquiry. If, then, the section \$p\$ of the statempt has been made to set up a Topsia Constitution which is "modulationary" and adherence to it is on that ground called "trasconable pertinently." And the only resons why he does not find the Lecompton Constitution in the same category is, that in his opinion it has legislative sanction. I am inquiring whence that suthority to first and the proper whose spin when the constitution in and State Government without any firsher errors that authority is derived to form a Constitution of the United States." Those who claim that, under the constitution of the United States. The constitution of the United States. The constitution of the United States, and forget that by a subsequent section the power of the same clasure as expected on the United States. The constitution of the United States, and forget that by a subsequent section the power of the same Legislative sanction. It is not because the people thereof perfectly free for the constitution of the United States. Those who claim has under the power of the same Legislative as authority to create a Convention clothed with power to form a Constitution and State Government about to be fast-shead upon the constitution of the United States. Those who claim has under the power of the same Legislative as authority to create a Convention clothed with power to form a Constitution of the United States. The constitution of the United States, and forget that by a subsequent section the power of the same Legislative as authority to create a Convention clothed the constitution of the United States. The constitution of the United States, and forget that by a subsequent section the power of the same Legislative as a constitution of the United States. Those when the constitution of the United States, and forget that themselves this as their organic law. Yet, sir, when we turn to the measage for information upon this point, we find that the President has mone to give. There is a great deal else in that document, but not one word on the question whether the people of Kinnsas eally do or do not want this Government. Here is much special pleading in it, as to how a people may seem to want what they really lo not want—how they may be estopped fro I saying what they do want, and as to whose and it is that this way to the say of them. this or that thing has been done, ir has not been lone—but not one word, from the beginning to the end of the message, which sould indicate he end of the message, which sould indicate he President's own opinion up a this, the one great fundamental question in the controversy, whether the people of Kansas themselves have breathed the breath of life in 5 this instrument—whether it stands forth dothed with the popular will, quickened by the pulsations of the popular heart, and speaking the popular voice. Nor has the President I fted his finger to ascertain from Kansas what is the popular will. He has communicated to the call of the Senate his correspondence with the Governors of that Territory, and the orders and instructions which have been issued to them. And there is not to be found smong them all the desire expressed, on his part, to know what is the real popular will in that Territory in refereace to this instrument. In communicating is Constitution to us, with his recommend

on that Kansas be admitted vader and subact to it, he nowhere tells us that it is an ema-nation from the popular will, or U at it is submitted to us in obedience to that will. On the contrary, he says he has received it from John Calhoun, and that John Calhoun hopes he will submit it to us. Here is his compliance with Calhoun's request:

"I have received from J. Calhoun, Esq., Pres-

ident of the late Constitutiona Coovention of Kansse, a copy, duly ce tified by himself, of the Constitution framed by that body, with the expression of a hope that I we lid submit the same to the consideration of (ingress, with Union as an independen State""

in that Territory, except it be within a hollow square of soldiers, comes as not as any one man can of personifying the tree relation be-tween the people of Kansas and that Constitu-tion. They hate him, as the chef instrument chosen by their oppressions to o their work, and they detest and loa he and hate this, the workmanship of his hands. N w, is it not a little remarkable that the Chief I agistrate of people which achieved it; nation il existence in people which achieved its nation dexistence in the assertion of the principle that all suthority over freemen obtains its life from the consent of the governed, should have have his mind so tarned away from this, the true issue, as not typen to have raised the inquire, whether the people who are to live under the Constitution of themselves actually choose it or not? Is it that stranger still, that the ear of the Fresident has become so dull to the keynote of that has become so dull to the ke note of that grand old anthem sung in Inde endence Hall, that he has never heard that, thile we have

that he has never heard that, only we have been discussing this subject in this body, the freemen of Kansas have walked up to the bal-lit-box, ten thousand strong, at d set the seal of their condemnation upon the very instrutheir condemnation apon it sery instru-fient he is urging us to impose pon the necks of the very people who have to us rejected it with scorn and contempt? I cannot stop to criticize the resident's ex-case for not having heard of the judgment en-tyred up against the Lecompton Constitution— that he "had received to official information" it; nor to reconcile that ex use with wha Tit; nor to reconcile that ex use with what Pe does communicate that he had heard, transfering at the same election: of large majority of the opponents of this Constitution voting under it for State officers. Can he not hear of the one vote as well as the other happening on a same day? If he have any there ears than a ficial ones, it may wall be asked why they have not caught the thinder to less of the ten thousand majority against the Lacompton Constitution, as well as the insignif cant incensist.

titution, as well as the insignif ant inconsist ency with which he has troul ted himself of ree State men at that ame election, in voting at against the Constitution, as d than for offi-ers under it. If this can reach him from un-ficial sources, has he no ear to pear that Oher solemn, all-controlling s bjud-cation of But another chapter in this his 'ry here opens as marvellous as any which his re preceded it as marvellous as any which he represended it and in perfect keeping with the mall. In the profound silence of the message upon the expressed will of the people, in the stringe revelations of the Executive documents hat not a rager has been raised for an ear pened to farn that will; and in the presence of that there fact, which has travelle he e without executive aid, and in state of executive documents piled up to wall at out, hat he people have written on that instrument, unlet erre which will burn through it, the to be the standard median and will burn through it, the t by ter thos sand maill never submit to it; and have criven the milty perpetrators of this outrige the son their sights in ignominious flight from their borders; and all these facts, and allegations have serious, the friends of the administration runsh to the aid of the Executive in attempting to stifle all inquiry as to what all these things mean;

the strong arm of power, ' Co stitution the strong arm of sower, to stitution, which they loathe and hate, upon a taple who have a sacred right themselves to may the laws riey are called upon to obey. There was a time when the Representatives of the people would have been as sensitive to such a touch is the apple of the eye. Now hey are quick rally to conceal it. But no subterfuge can be angeful or blot out these facts. The solemn tadgment of the people of Kansas is written on

this Constitution, and will be known; and read f all men. We may reagle as long as we lease, with dictionarie; and tomes at our elow, as to the effect of the vote upon the legality of the Constitution; but the proposition that the Legislature of Kantas cannot provide for taking the sense of the people" up in that intrument, and that that sense, when taken, cannot be known, has four distinction may, evertheless, stand. So will the "sense of the coole" at and, and it will be known as the sense of the

with this question, it riatters title where this Constitution originated wheth r in the city of Washington or in the office of the Surveyor General of Kansas. But it does matter, unless we care to forego and forget the fundamental principle of all free guvernment, whether the people of Kansas, who are to five under this Constitution, desire it continuously the admission of Kansas under and subject to this Constitution, the Executive would have spared no pains, nor omitted any effort, to have made certain, and communicated to this House, the one grand and transcendent fact, before which all opposition should have paled and cowered, that the people of the Territory desire to take upon themselves this as their organic law. Yet, sir, when we turn to the measage for information Men do not rebel against themselvee, nor the work of their own hands. When he tells us that the established order of things in Kansas "would have been long since subverted" by any portion of the people sufficient to subvert it, had it not been protected by United States bayonets, he proclaims, in the same sentence, that the power which created, as well as the power which sustains, that order of things, never emanated from the people of Kansas. For men do not pillage, nor pollute, nor pull down, the temple of their own rearing. When he announces that a form of government, twice ratified by the people, "is in direct opposition to the existing Government," and that it requires, to keep it down, the constant presence of United States dragoons in a Territory "left perfectly free" to manage its own affairs in its own way, he confesses, in the same breath, that the standing army has been used to crush out the exercise of that right of self-government, the struggle to achieve which commenced in blood at Concord, and ended in triumph at Yorktown. Why is it that this home Government of ours does not require the constant presence of armed men to preserve and protect it? Why is it not necessary for the Chief Magistrate of the nation, when he goes forth upon the Avenue, to surround himself with gens d'armes, bristling with steel, to protect and rescue him from the deadly missives of the populace? Why is it that the approaches to this Hall are not guarded by soldiers, between whose bayonets we might march in and out from our deliberations here, shielded from the passions of men without? Why is it that the Judiciary, from the highest tribunal at the Capital to the humblest magistrate in the remotest hamlet, sits secure in the seat of justice, calmly itol to the humblest magistrate in the remotes hamlet, sits secure in the seat of justice, calmly deliberating and fearlessly pronouncing decrees to which all the people bow in silence? Why is it that a standing army, equal in numbers and power to the extent and greatness of this Gov-ernment, is not spread over the land, from this centre to the outermost borders, to uphold, by its strong arm, the authority of law, and to awe by its imposing presence the people into sub-mission? The answer to all this is apparent; and I invoke its application to Kansas. The It is fit that such a man shoul be the bearer of such an instrument. "I it her I for fit body." The man who has been compelled to flee from the just indignation of the peop a he is betray. and the bonds which bind us together would part like smoking flax. No matter in what garb this Constitution comes here, nor from what authority it professes to emanate, if it requires the continual presence of the army to preserve and protect that authority among the preserve and protect that authority among the people of Kansas, then, I say, it never came from that people. When, therefore, the President declares, in this message, that the army is necessary to maintain that authority, he confesses that the people never breathed into it the breath of life, and all the world will enter

up judgment upon that confession.

The Lecompton Constitution, therefore, comes to us without the sanction of legal authority; to us without the sanction of legal authority; and equally without that other sanction—the will of the people—which, under the circumstances, is higher and more sacred than all the forms of law. Without this seal, I cannot take it; without this baptism, I can hold no communion with it; and without this anointing,

I eschew it.

Now, sir, the real reason why this Constitu tion is thus urged upon us, is just as apparent as the falsity of the pretended one. It banishes free institutions, and forever fastens Slavery upon that virgin soil. No man who has eyes see, or ears to hear, need fail to understa whether it be to justify or to condemn. No man can longer doubt, but at the expense of his common sense. I can understand and ap-preciate the zeal of Southern men for the censummation of this work. It is the legitimate fruit of Slavery. That institution can bear no better. And when a man has lived all his life better. And when a man has lived all his life among slave institutions, and has never seen the effect of freedom upon the whole man—physical, intellectual, and moral—never himself breathed the invigorating atmosphere of free institutions—I can understand how such a man may come to actually believe that the forms of "a republican Government, surrounded by slave institutions, would be the highest type of civilization." [Mr. Lamar.]

And I may respect him for the frankness of the avowal, however much I may regret the misfortune of his life which has led to such convictions. I can even hear from the lips of a day, but not without consultation. It is immisfortune of his life which has led to such convictions. I can even hear from the lips of a man of such an education and life, that he has "a sovereign contempt for the memory of the Pilerim Fathers." [Mr. Shorrer,] with no Pilgrim Fathers," [Mr. SHORTER,] with no other emotions than the one of pity for him, and the other of gratitude to God, as one of the descendants of that immortal band, that their memory does merit the contempt of the lords of the lash and the founders of a colored aristocracy. But I fail to comprehend how it is possible for a man now in the decline of a life which had its origin in one of the related which had its origin in one of the noblest of the free States—who was reared under the shadow of free institutions—has watched their growth in all that makes a State great and

shadow of free institutions—has watched their growth in all that makes a State great and glorious—has witnessed, under their expanding influence, Commonwealths spring out of the wilderness into the full maturity of manhood, guarantying to all the people thereof the Godgiven rights of freemen, all the branches of industry taking life and bearing fruit in their soil, and comfort and competence smiling on every hearthstone in all their borders—I say, I cannot understand, it is utterly incomprehensible to me, how such a man, false to all these noble affinities, can undertake, from high position and power, to crush out free institutions, and force in their stead, upon an unwilling and resisting people, Slavery, with all its attendant train of curses and woes and misery.

The gentleman from Virginia, [Mr. Clamens,] in an effort to turn public attention away from the astounding doctrines of this message by eloquent personal culogy, told us imploringly that the President "is now upon his political trial." I wish this were so, and this were all. But, sir, you put the President on his political trial for years before you clothed him with power to do this work. And he long since gave indubitable proof that he could be trusted for the accomplishment of any work that Slavery should de mand at his hand. And then it was, but not till then, that he was permitted to wear the imperial purple. There is, nevertheless, a trial of till then, that he was permitted to wear the im perial purple. There is, nevertheless, a trial of quite another sort. More than one hundred thousand freemen in Kansaa, and the institutions under which they and their children are the legal argument of the President. And I say that the necessities of that argument required that something for its support should be put into the organic act not there before. Such a reading, unparalleled as it is in the history of interest official communications to Congress, would never have been resorted to but from the conviction of its author that there was nothing in the text without it to support the assumptions the fore front of that remarkable document, that it cannot stand upon the statute as it is. If therefore summon the President himself upon the statute as it is. If therefore summon the President himself upon the statute as it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore summon the President himself upon the stantes it is. If therefore himself upon the stantes it is. If therefore himself upon

'Territory have already engrossed an undue proportion of public attention;" and the people whom this decision affects are only "a few thousand inhabitants of Kansas!"

And in betrayal of this people the message bids us, who are bound by the high behests of duty, let the consequences be what they may, to take counsel of our fears. It talls us that, unless we now consummate this outrage which has been ripening under the fostering care of the Executive for years, "no man can foretell the consequences;" that "agitation upon this 'dangerous subject will be renewed in a more 'alarming form than it has ever yet assumed;" that just in proportion as this question is insigthat just in proportion as this question is insig-nificant to the few thousand people of Kansas, who detest this Constitution, "for this very reason"—that is, because it is an insignificant

question—
"The rejection of the Constitution will be so much the more keenly felt by the people of fourteen of the States of this Union where Slavery is recognised under the Constitution of the United States."

'Slavery is recognised under the Constitution of the United States."

I wish, in passing, to inquire which of the fifteen slave States it is whose people have been counted out here, and have determined not only not to dissolve the Union, but not even to "feel keenly" if this foul scheme shall fail. Perhaps the Representatives of that State here can inform the country. And, lastly, we are told by the President, that unless this bald crime against human rights shall be perpetrated, "dark and ominous clouds," which he seems to see already "impending over the Union," are to "become darker and more ominous than any 'which have ever yet threatened the Constitution and the Union." I do not share these fears of the President—I do not see these clouds. I shall be slow to believe that the perpetuity of this Union requires the sanction of this fraud. But if I did share these fears, I should be derelict of duty if I took counsel of them. If I saw these clouds, I should still find no justification for the abandonment of right, in the apprehension that else they might break over my head. This doctrine has been preached to us quite too often already—it was never sound, and has begotten many a peril, without ever averting a single one. It can answer no further ends.

The President's hopes, too, are as vain as his fears. How empty the expectation that "domestic neace will be the hanny consequence of

The President's hopes, too, are as vain as his fears. How empty the expectation that "domestic peace will be the happy consequence of this admission," or that it "would restore peace and quiet to the whole country," or that the troops of the United States could then be withtroops of the United States could then be with-drawn from Kansas. Peace comes not of schemes thus founded in wrong, and carried out by fraud and force. Commotion and con-flict more terrible than those which have al-ready shamed and shocked the country, will be the fruit gathered of such a sowing. "He that soweth the wind," shall most assuredly "reap the whirlwind." You may cry peace! peace! but to you, who daub with this untempered morbut to you, who daub with this untempered mor-

tar, there can be no peace.

Does the President hope, before the bar of inexorable Justice, to escape the sure condemnation of one who, with full knowledge of fraud, aids in its consummation—of one who feeds and fattens and hugs to his bosom the perpe-trators of robberies, of rapes, and of murders, while their hands are still reeking with crime? while their hands are still reeking with crime? He knows the foul wrongs which gave birth to this Constitution, and the infamous outrages upon which it has fed; and, with full knowledge, by this message he adopts and makes them all his own. Thus, voluntarily taking upon himself the responsibility for all the black and damning plots and schemes and frauds and crimes which have brought the Lecompton Constitution here, he goes for trial before that august tribunal, the American People, and I patiently await the verdict. patiently await the verdict.

THE GREAT STRUGGLE IN THE SENATE ON THE NIGHT OF THE 15TH.

The Republican Senators proposed to the Administration party an adjournment, promising to consult concerning the time for the termination of the debate, and to announce their conclusion formally. The Lecomptonities, rejecting the proposition, persisted in trying to yielded, and agreed to the proposition of the

Mr. Green said the bill had been more amply discussed than was the Kansas-Nebraska bill when only three days were allowed. Minorities have their rights—majorities their responsibilities. We are resolved to take the responsibility. The good of the North, of the South, and ity. The good of the North, of the South, and the whole country, requires it. Postponement will subserve no public good. The subject is as well understood to night as it will be when shire, and from Massachusetts, shall have

Mr. Wilson. When the Senator from Missouri made his report on the 18th of February, he pledged himself that Senators should have a full opportunity for discussion. Every Secator has a right to speak, and to speak in proper hours. Fourteen Senators, opposed to the Lecompton swindle, intend to address the Senator, and by a session of six hours each day the subject may be terminated this week, or at all events within one week from now. If you adjourn at once, we will consult and let you

journ at once, we will consult and let you know what we will do.

Mr. Benjamin thought gentlemen on the Democratic side would not object to an adjournment, if gentlemen on the other side will see that to worrow they will say that to-morrow they will name some day this week for taking the final vote, or otherwise

assent to a permanent session until the question was decided.

Mr. Hamlin thought, considering the number to speak and the amendments to come, Monday would be a better day to close the debate.

for him, is entitled to consultation. He would no could not, be drawn into any factious oppose tion to the public business. The crushing process had no terrors for him. He was accustomed to it, and had seen the party crushed grow stronger. Such a question as the present had not been here since 1850. Great men were had not been here since 1850. Great men were here then, and they undertook to bring in California. The great debate began on the first day of the session of 1849. The leader of the Senate promised that every man should be heard. That promise was faithfully kept, and the bill passed on the 18th of August. This debate began just fifteen days ago, which, less Sundays and adjournments, gave but ten business days, a time entirely too short; and of that, one-half was consumed by the opposition. He wished to correct the idea that this debate began in December. He thought it best not to come to a vote now, because there are Senators who desire to speak, and have a right to be heard. He closed with giving the assurance that the subject should be taken up in the morning, and an honest answer given, by which he supposed all persons would be bound.

Mr. Brown, after consultation, said he was disposed to assent to this, if he understood the proposal definitely.

Mr. Wilson said that other parties and the Americans had to be consulted.

Mr. Wilson said that other parties and the Americans had to be consulted.

Mr. Hale suggested that, though his party would have to take care of the Americans and seceding Democrats, they had not got them yet, and so his party could only answer for themselves.

Mr. Kennedy said the Americans were ready to take a water to right.

to take a vote to-night. The country is work out on the subject.

Mr. Brown said the most extreme Mr. Brown said the most extreme concession of the Democratic party is to take the vote on Saturday, while the other party propose Monday. He thought that Senators could hardly hold out on this difference. The leading men on the other side have made a promise, and he, [Brown,] being dependent on ne party influence, telt free to say he thought his friends should accept it.

has made to us, I produce his confession that worked; the cry of popular sovereignty may had the cool reply from the same high source conquered. So help him God, he would not be compton Constitution.

Mr. Hamlin moved to adjourn.

thought his friends would not oppose with thought his friends would not oppose with fac-tions motions to adjourn.

Mr. Mason recapitulated the terms of the agreement, namely, that the Republicans should consult to-morrow, and give a frank an-swer whether or not they can vote on Monday next, and that, unless they do this, the Demo-crats may take such action as to them may seem fit. If he had correctly understood the agreement, he would move that the Senate ad-iourn.

Subsequently, the motion was withdrawn. Messra. Seward and Hamlin said the terr

Mesers. Seward and Hamlin said the terms of the agreement had been correctly stated.

A Senator objected to being bound by the promise of any gentleman who said he should bind him if he did not express dissent.

Mr. Pugh denied that the gentleman had a right to speak against time. He [Pugh] would, if in a minority, always assent to the just decisions of a majority, but would never be bound by a deckion of the minority.

Mr. Wilson thought Senators should assent to an adjournment. His party had had no consultations. They did not know that a vote would be taken to-day. He had consulted with the gentleman from Virginia, [Mr. Hunter,] and he [Hunter] did not think it likely that a vote would be taken this week. Besides, it was understood that the gentleman from Illinois wished to speak; but he was sick, and could not possibly do so this week. Mr. Wilson thought gentlemen should have confidence, after the assurances that had been made.

A vote was then taken on a motion of Mr.

A vote was then taken on a motion of Mr. Wilson to adjourn.

Motion lost, by yeas 18, nays 23.

Mr. Seward then moved an adjournment.

Motion lost, by yeas 18, nays 22.

On motion of Mr. Brown, Mr. Clark was permitted to resume, with the understanding that when he concluded the Senate might adjourn.

Mr. Clark said the Senate from Georgia would find it hard work to crush out twenty Northern Senators. A different class of men now come from the North—men who will not bow down and yield. They are sent not to bow down, but to stand up; and the more you crush them, the more they will stand. Had Senators on the other side persevered, he would have spoken to the day of doom, if he could have lived so long. But as they had been courteous, he would meet them half way. Referring to the President's assertion, that the passage of the Lecompton Constithat the passage of the Lecompton Consti-tution would bring peace and quietness, he said it is always to be peace and quietness to pass measure after measure. The dove comes with the olive branch, and we take it into the pass measure after measure. The dove comes with the olive branch, and we take it into the ark, but no peace or quiet follows. He had various amendments to consider, and had an amendment of his own to propose, which was to tack on the old Missouri Compromise. Under these amendments he would have gone into the debate fully. We are told that Slavery cannot exist in Kaness—but Kaness is no further north than Missouri, and if Slavery is profitable there, it will be in Kaness. After further remarks on this point, he turned to his own State (New Hampshire,) once, he said, the Gibraltar of the Democracy, but now turned squarely round on the subject of Slavery. Referring to the recent election there, he added, she has now fixed her position as a Republican State, and there she will remain. She changes only once in a generation. He closed by warning the Senate, that as they failed in 1852 and 1856, so they would fail by the admission of Kaness with the Lecompton Constitution. Referring to the figure in Mr. Hunter's speech, of the eagles gathering to the feast of empire, he protested against that vision. Let the youngest eagle of them all, said he, stay at home, and not seek to feed on carrion Europe. He would not have our armies marching through Mexico and Central America to the He would not have our armies marching through Mexico and Central America to the Amazon. They might do it, but it would only be by subjugating our fellow-men and extend-ing the area of Slavery. We ought not to for-get that "the nation that sinneth shall die."

March 16, 1 A. M. Mr. Doolittle moved an adjournment. Motion lost, by yeas 11, nays 21.

Mr. Foster moved the further postponement

Mr. Hamlin and Mr. Green then exchanged explanations in reference to a conversation they had, with the view of coming to an ar-Mr. Green-declared, that unless he could have

a distinct understanding that a vote should be taken on Monday, he would go on.

Mr. Cameron asked, "Who is the gentleman from Missouri? He is but our peer. Is he commander of the Senate majority that ad-journed over from Thursday to Tuesday to attend a political pageant at Richmond?"

Mr. Green. That is not true.

Mr. Cameron. Do I understand the gentle

man to say that I state what is not true? Mr. Green. I said so. The Vice President called both Senators

Mr. Cameron. The Senator has applie harsh language to me. I will also use terms, and say it is an untruth. Mr. Green. You are a liar. The Vice President again called both g

men to order.

Mr. Cameron asked the pardon of the Senate

Mr. Cameron asked the pardon of the Senate for having done what the Senate says is not right, though he (Cameron) still thought that he was not wrong. For anything I said to that gentleman (Green) I am responsible.

Mr. Green denied that he arrogated to himself to dictate to members. The Senator does me injustice, and he knows that he does me injustice. He (Green) was man enough to meet him (Cameron) or any other man. The slander of the Senator will reveberate on his own

The Vice President again emphatically called the gentlemen to order.

Mr. Green said he had said enough to th Senator in this chamber. Out of the Senate chamber he would use toward him a more apchamber he would use toward him a more appropriate epithet—the epithet which belongs to the West. He would not longer infringe the propriety of the Senate. If there is any animosity to settle, it must be done outside. He did not go to the other side of the chamber to dictate, but to ask when it would be agreeable to them to have a vote. He did not go indi vidually, but as the agent of a committee. He would (snapping his fingers as he spoke) settle the matter with the Senator in five minutes out-

no effect upon him. He was able to take care of himself. All this discussion had been pro-

tracted by the majority.

Mr. Broderick. It is evident that the majori ty have resolved to sit here nutil the adjourn-ment. The Senator from Michigan (Stuart) had gone home, which is fortunate, as he will be here early in the morning. He suggested that the gentlemen on his side of the chamber make no further concessions or compromises. Mr. Doolittle moved an adjournment. Motion lost, by year 9, nays 20.

Mr. Slidell then moved an adjournment

Motiod lost, by yeas 15, nays 20. Mr. Slidell afterward changed his vote. There being no quorum, Mr. Toombe move Mr. Doolittle moved that the Senate take recess until 11 A. M., to enable the Sergean starms to bring in the absentees.

This motion not being in order, he moved

ljourn. Motion lost, by yeas 8, nays 19. 24 o'clock A. M.—But one Senato tle) is in his seat. Mr. Broderick and e) is in his seat. Mr. Broderick and two of enators are reclining on sofas. In the gal re twenty persons and the reporters. Mr. Bigler proceeded to address the Sem ating that his speech was not for the Sem

Mr. Bigler spoke for half an hour, when Mr. Biggs commenced reading a speed cenator snering an audible accompanimen 3 o'clock A. M .- But nine Senators are

their seats.

The passage between Messrs. Green and Cameron produced a complete stillness in the Senate Chamber. Mr. Green exhibited the most irritation of the two; while Cameron was cool, and, to an unprejudiced looker on, seemed to have the best side of the case. The difficulty was a mere interlude, and subsided as rapidly as it

When quiet was restored, Mr. Doolittle, speaking to a motion to adjourn, took occasion to refer to the evils of night sessions, which, besides obstructing the business, produced an unpleasing one. He might be outvoted, but he antness that lessened the dignity of the Senate. At 3 o'clock, Mr. Biggs defined his position is place than humiliste himself and his ents. He could die, but could not be extreme views, but as committed to the Lecture of the vote of the House of Commons, he was prepared to yield, and a modification was registed by Lord Ellenborough, would be presented.

In regard to Parliamentary reform, his own opinion was, that no alteration was required; but he nevertheless thought that some modification and amendment might be made, to suit

Mr. Hamlin said, if they could not agree, he Mr. Slidell, who was in the chair, decided that recess the Government would earnestly direct the Senate could not adjourn, inasmuch as a their efforts to the preparation of a bill, which resolution was passed for the Sergeant at arms would be introduced at the next session.

Republic.
Mr. Doolittle moved an adjour, ment. Re-

jected—yeas 16, nays 22.

Mr. Wilson moved a postponem at until tomerrow. Rejected—yeas 15, nays 22.

Mr. Chandler moved a recess for aix hours

Mr. Houston came in, saying the Sanator from Georgia had moved that absenteer should ren-der an excuse for their absence. He asked what excuse the Senate could reader him for depriving him of his rest?

Mr. Wilson moved an adjournment. Lost—

yeas 14, nays 20.
Mr. Fessenden moved that the excuses of the absentees be taken, dissenting from the decision of the Chair, that the Sergeant-at-arms had authority to send for absentees.

The Chair read the rules, and decided that they do not authorize the minority to send the Sergeant at arms for the absentees.

Mr. Toombe dissented from the ruling of the

Mr. Fessenden withdrew his motion Mr. Seward would like to know where the Senator from Georgia was, when absent for about a month. The public business suffered

in his absence.

Mr. Toombs declined to answer the Senator in his private capacity. He was responsible to the Senate only. If any one wished to know his private affairs, let him ask him in private. Four o'clock.—Numerous motions were made the yeas and nays called on each, lasting till 5

o'clock, when Mr. Benjamin said that this is no ordinar condition of things; for the first time in the annals of the country, a minority dictates to a majority, and stops the business of the country. He suggested that the majority leave the hall, leaving a message for the minority to call them back when ready to carry on the public hard back when ready to carry on the public busi ness; this was a revolution, and he wanted the country to know it.

Mr. Hale said the revolution commenced as

long ago as 1848, when the Oregon bill was de

Mr. Fessenden defined his position. He accepted the responsibility before the country.

Mesers. Wade and Simmons spoke in favor

of adjournment.

Mr. Toombs spoke against it.

Mr. Wilson (Mass.) moved a postponement until to-morrow. He thought no one would gain much by going before the country. The gain much by going before the country. The Senator from Missouri gave his sacred pledge that there would be a fair opnortunity to discuss this bill. Well, up to this time, there have been twelve speeches delivered for the bill, and only eight against it. The Senator from Illinois intended to speak, but is sick. He [Mr. Wilson] had not the slightest doubt but that if Republicans had been permitted to hold their meeting they would have come in the significant of the meeting, they would have come in with a unanimous assent to vote on Monday. What will force avail you?

Give me (he said) a cup of water and a crust ing the Capitol. Ten men sitting here can hold you for forty days and forty nights.
Mr. Green asked Mr. Wilson if he [Green]

had approached him in any but respectful lar Mr. Wilson. No. Mr. Green again demanded from Mr. Wilson distinct appointment, and a definite time to take a vote.

Mr. Iverson thought the majority had not mr. Iverson thought the majority had not acted magnanimously in refusing the opportunity asked by the minority for the purpose of consulting. He thought the matter might be easily arranged by a committee on both sides.

Mr. Green still insisted, but said, if the opposition would pledge their honor, he might

perhaps accede.

Mr. Fessenden and others pledged their honor that they would meet, consult, and fix to vote at the earliest day.

Mr. Green said that might be the first of May,

June, or July.

Mr. Fessenden declared that he meant what he said, without mental reservation.

Mr. Green said he understood all that, but insisted on naming Kansas—that was

largest concession he could make.
Mr. Broderick was unalterably
the admission of Kansas with the Constitution. He was prepared to accept his share of responsibility and endurance. Mr. Iverson moved an adjournment—yeas 17, nays 17—the President voting nay.

Mr. Broderick moved an adjournment-year by acclamation.

The Senate then adjourned, at half past 6, til

POLICY OF THE NEW BRITISH MINISTRY. The British Paaliament was in session on the 1st instant. The House of Commons, after the transaction of some formalities, adjourned to

12 at noon.

the 12th.

In the House of Lords, the Earl of Derby read his inaugural Ministerial speech, giving an insight into his intended policy.

After stating the grounds upon which he had undertaken office and the difficulties which beset him, he glanced at the state of the army with

undertaken office and the difficulties which beset him, he glanced at the state of the army with
reference to the Indian war, and said there was
yet a most respectable numerical force remaining within the United Kingdom. He had no
doubt that the exertions of Sir Colin Campbell
and of the troops under his command would
lead to a successful result; and when the mutiny was fully suppressed, it would be the duty of
the Government to undertake the task of pacifying and tranquillising the Empire

He then referred to the Chinese war, and expressed his satisfaction, notwithstand in he condemned the cause of the war, at he success
which had attended the British arms. He added,
now that Canton had fallen, it wild be the
duty of the Government to make, will be least
possible delay, a safe and honorably peace, so
that the commerce between the dintry and
China might be re-established.

He then adverted to the relations of the Government with France, and urged the necessity
of remaining on friendly terms. He insisted
on the importance to France and Europe of the
Emperor's life, and indignantly denounced the
atrocious attempt to assassinate hims He made
great allowance for the indignation displayed
by the French people; nevertheless, he did not
believe that the address from the Empire colonels gave a true representation of the feeling of
the French people; nevertheless, he did not
believe that the address from the Empire colonels gave a true representation of the feeling of
the French people; nevertheless, he did not
believe that the address from the Empire colonels gave a true representation of the feeling of
the French people; nevertheless, he did not
believe that the address from the Empire colonels gave a true representation of the feeling of
the French army. From what he knew of the
Emperor, he felt satisfied that it was his sincere
wish to keep on terms of amity with England.

The Forign Secretary (Lord Malmesbury) was
preparing a reply to Count Walewski's despatch,
which he believed would satisfy

On the subject of the government of India, he thought the time not opportune for any change; but, in deference to the vote of the House of

the conveniences and wants of the people. All por sale by J. APPLETON & CO., he could promise, however, was that during the 584

the Senate could not adjourn, inasmuch as a resolution was passed for the Sergeant at arms to bring in the absentees.

An appeal was taken, and was laid on the table—yeas 20, nays 9.

Things here seemed at a dead lock, when Mr. Hamlin propounded a given case: If the Sergeant at arms had to go to the several homes of the absentees in different parts of the country, is it the opinion of the Chair that Senators must sit day and night until he returns?

Mr. Slidell. That is the opinion of the Chair. Mr. Hamlin complimented the Chair on its courage in giving such an opinion.

Mr. Gwin took the chair temporarily, and Mr. Slidell spoke in favor of the bill. Alluding to Mr. Seward, he spoke of him as the "facile principis" of his party, weighing well his words, courteous, and carefully refraining from saying anything personally offensite to Southern men. This makes him the more dangerous enemy. Turning to Kansas, he said: Admit her under this bill, and in a few weeks all will be quiet, and the people of the Nos h will wonder at the excitement it occasions i. He concluded by advising the cultivation of the harmony that prevailed in the early lays of the Republic.

Mr. Doolittle moved an adjour ment. Re
their efforts to the preparation of a bill, which would be introduced at the next session.

In conclusion, he expressed the hepe that when he feture of from office, whether the period for which he held it was long or short, he would not be found to have left the country in a worse hound to have left the country in a worse into the neither defined the position than he found it.

Earls Granville and Clarendon defended the late Government, and the House adjourned iill the life. Sir F. Thesiger assumed the Chancellorship as Lord Chelmsford. Mr. Blackburn declined the lott.

Sir F. Thesiger assumed the Chancellorship as Lord Chelmsford. Mr. Blackburn declined the ourselve of the order of the order of the head it was a long as Lord Chelmsford. Mr. Blackburn declined the lott.

The papers are occupied in criticising Lord Derby and temporizing; and adds, that the weakest and worst part of his speech was that in which he refused to redeem outstanding pledges, which each and all of his three predecessors hi given, on the subject of an elective reform.

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